



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Report of Administrator of Insolvent Estate; Request for Discharge

DOD: 2/9/1996		PUBLIC ADMINISTRATOR was appointed as Administrator, with full IAEA authority on 6/19/2001.	NEEDS/PROBLEMS/COMMENTS:
		Letters issued on 6/19/2001.	
Cont. from 010814		Inventory and Appraisal filed on 8/8/2001 shows the estate valued at \$216,606.57 consisting of a default judgment of Raymond Carranza v. Joe Guerra, et al. Santa Clara County Superior Court case no. 720015 dated 8/8/1996.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Department of Health Services filed a creditor's claim in the amount of \$7,335.22 on 9/4/01.	
✓	Aff.Mail	W/	
	Aff.Pub.		
✓	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioner states states this case was referred to the Public Administrator by Attorney Richard Hyppa from Tracy CA. Attorney Hyppa represented the decedent in a 1992 Santa Clara County matter involving "swindle" of real property.

On 1/27/2002, Deputy Public Administrator Nina Acosta appeared in Court for a Settlement Conference. No settlement was reached and the case was set for trial the following week. On 2/12/2002 Mr. Hyppa sent an email to the Public Administrator stating that the Judge had decided against him.

If the judgment had been awarded, it would have been the sole asset of the estate. Therefore, the Public Administrator never had control of any other assets, and the estate remains insolvent.

Deputy Public Administrator Noe Jimenez called Attorney Hyppa, who reported that the case was essentially lost due to the statute of limitations.

The Public Administrator requests to have this estate dismissed and he be discharged. There were never any assets to marshal, so no accounting is required.

Reviewed by: KT**Reviewed on: 2/24/14****Updates:****Recommendation:****File 1 - Carranza**

Report of Successor Administrator of Insolvent Estate: Request for Discharge

DOD: 7-6-03		PUBLIC ADMINISTRATOR , Successor Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			<u>Notes re history:</u>
		Petitioner states according to the I&A, the estate consisted of real property valued at \$120,000.00, which was sold at a net gain. According to the Court's docket, Attorney Gary Bagdasarian (attorney for former former Administrator VICKIE L. ROE , provided proof creditors were paid. On 2-3-05, the former Administrator acknowledged spending \$49,890.70 and did not provide receipts.	<ul style="list-style-type: none"> Decedent's will devised the estate to her two daughters Vickie L. Roe and Tiffany Ann McGraw, and to her granddaughter Patricia Nicole Roe Phillips. Another heir was to receive \$50.00, which was paid. Tiffany Ann McGraw assigned her interest to Vickie L. Roe; therefore, the residue of the estate was to be divided between Vickie (2/3) and Patricia (1/3).
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	<p>The Public Administrator has attempted to contact the former Administrator and the other heir, Patricia Nicole Rowe Phillips, but neither has returned calls or responded to letters.</p> <p>There is no summary of account because no assets ever came into the possession of the Public Administrator. There are no assets with which to pay the Court, the former administrator's attorney, or the other heir. Vickie L. Roe has breached her fiduciary duty by misappropriating a minimum of \$58,495.93 from the estate and is therefore liable to the Court, Mr. Bagdasarian, and Patricia Phillips.</p> <p>Petitioner and his attorney aive all fees and commissions and Petitioner requests to be discharged as administrator as there are no assets.</p> <p>Petitioner prays that:</p> <ol style="list-style-type: none"> The final report prepared herewith be settled, allowed and approved as filed, and all acts and proceedings of Petitioner as successor administrator be confirmed and approved; The Court find that Vickie Roe, as former administrator of this estate, is personally liable tot eh Court, attorney Gary G. Bagdasarian, and the other beneficiary Patricia Nicole Rowe Phillips for a minimum amount of \$58,495.93; The administration of this estate be closed; The Fresno County Public Administrator be discharged as Administrator of the estate of Patricia Leonard, decedent; and For such other and further orders as the Court considers just and proper. 	<ul style="list-style-type: none"> Vickie L. Roe was appointed as Administrator and Letters issued on 10-28-03 with limited IAEA and bond of \$10,000.00. Amended Letters with full IAEA were issued pursuant to Order dated 12-16-03 and bond was exonerated. The former Administrator filed her First and Final Account on 8-27-04. Per Minute Orders 1-20-05 and 2-3-05, the remaining funds were spent and the Court reserved the right to surcharge and/or issue sanctions. On 4-7-05, the Court approved the attorney's fees, removed Vickie L. Roe and appointed the Public Administrator. Letters issued on 5-5-05. This petition was filed in response to a Notice of Status Hearing for failure to file a petition for final distribution.
<input type="checkbox"/>	Aff. Posting		Reviewed by: skc
<input type="checkbox"/>	Status Rpt		Reviewed on: 2-24-14
<input type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 2 – Leonard

(1) First and Final Account and Report of Executor Allowing for its Settlement and
for (2) Discharge of Executor of an Insolvent (non-asset) Estate

DOD: 11/27/05		GUADALUPE URENO , Executor, is Petitioner. Account period: 11/27/05 – 07/20/10 Accounting - \$150,000.00 Beginning POH - \$150,000.00 Ending POH - \$0.00 Declaration of Guadalupe Ureno filed 01/22/14 states that the only asset of the estate was real property that was lost to foreclosure, therefore there are no assets in the estate and the estate is insolvent as there are insufficient funds to pay all of the costs and expenses of administration. Petitioner requests: 1. The administration of this estate be terminated as the estate is insolvent; 2. All acts and proceedings of petitioner as herein set forth be confirmed and approved; 3. The administrator of the estate be discharged as there are no assets to administer or distribute in this matter.	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters 12/11/07		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 02/21/14
Updates:
Recommendation:
File 3 – Ureno

(1) Waiver of Accounting and Report of Executor and Petition for its Settlement, (2) for Allowance of Compensation for Ordinary Services, and (3) for Final Distribution

DOD: 02/23/08		TODD A. PAIGE , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
		I & A - \$190,500.00	
		POH - \$0.00	
Cont. from		Executor - waived	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney - waived	
<input checked="" type="checkbox"/>	Verified	Costs - \$950.00 (to be paid outside of the estate)	
<input checked="" type="checkbox"/>	Inventory	Distribution, pursuant to decedent's will and subject to creditor's claims, is to:	
<input checked="" type="checkbox"/>	PTC	Leona Habitzel - household furnishings and items valued at less than \$500.00	
<input checked="" type="checkbox"/>	Not.Cred.	To the extent that any future property is discovered:	
<input checked="" type="checkbox"/>	Notice of Hrg	Wells Fargo Bank and Kevin Nguyen, M.D. creditor's claims - \$4,320.26	
<input checked="" type="checkbox"/>	Aff.Mail w/o	Central California Conference Association of Seventh-Day Adventists as Trustee under that certain Trust No. SAV01, established by Veda Florence Sackett as Settlor – Residue of the estate	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters 06/03/08		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 02/24/14
			Updates:
			Recommendation: SUBMITTED
			File 4 – Sackett

Report of Administrator of Insolvent Estate and Request for Final Discharge [Prob. C. 11000]

DOD: 7/13/10		PUBLIC ADMINISTRATOR , Special Administrator, is petitioner. ROBERT ACUNA, JR. and DESIREE ACUNA , were appointed as Co-Administrators without bond on 02/18/11 and Letters were issued on 05/26/11. On 4/26/2012 the Court removed Robert Acuna, Jr. and Desiree Acuna as Co-Administrators for failure to respond to the court to close the estate. At the hearing the court appointed the Public Administrator as Special Administrator. According to the original petition for probate, there was 10,000 in personal property and \$100,000 in real property. Franchise Tax Board filed a creditor's claim in the amount of \$3,223.78. The former administrators will also owe the court in the amount of \$435.00 for the filing fee for filing this petition and \$25.50 for Letters issued to the Public Administrator. The former co-administrators' attorney, Dowling, Aaron Inc. may also be owed fees. Due to the breach of fiduciary duty, the former Administrators, Robert Acuna Jr. and Desiree Acuna are personally liable to any amounts owed to the creditors including the court. Petitioner prays for an Order: 1. The final report be settled, allowed and approved as filed and all acts of petitioner and successor administrator be confirmed and approved; 2. Due to the insufficiency of the estate, it is not possible to pay the outstanding debts of the estate, and there will be no estate to distribute. 3. The court declare that the former co-administrators are personally liable to all creditors; 4. The Fresno County Public Administrator be discharged as successor Administrator.	NEEDS/PROBLEMS/ COMMENTS: 1. Amended Creditor's Claim filed by the Franchise Tax Board on 12/16/13 shows claim now totals \$3,432.75. 2. Administrator Robert Acuna was sent notice at the address for the real property of the estate (4453 W. Princeton Avenue, Fresno). The court may require more information as to the status of the real property. – Declaration filed on 12/23/13 states on 11/26/12 the property was sold in a trustee sale on 5/27/13 for \$167,033.00.	
Cont. from 121813				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input checked="" type="checkbox"/>	Sp.Ntc.			W/
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: KT**Reviewed on: 2/24/14****Updates:****Recommendation:****File 5 – Acuna**

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Administrator)

Statement of Public Administrator's Disposition of Property; and Request for Discharge

DOD: 6/16/2011		PUBLIC ADMINSTRATOR , Administrator appointed on 10/3/2011 pursuant to Probate Code § 7660 for summary proceedings, is Petitioner. Account period: 6/29/2011 – 12/19/2013 Accounting - \$34,210.00 Beginning POH - \$33,612.00 Ending POH - \$0.00 Administrator - \$1,345.28 (paid) <i>(less than statutory of \$1,368.40)</i> Attorney - \$1,345.28 (paid) <i>(less than statutory of \$1,368.40)</i> Costs - \$603.50 (paid) <i>(filing fees, probate referee, certified copies)</i> Distribution was made to: STEPHEN S. NIDA , son – \$25,515.90 cash. <i>(Receipt of Distribution filed 10/4/2012.)</i> Petitioner prays for an Order: 1. Settling and closing the estate; and 2. Discharging the Public Administrator in this matter. 1	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
	Not.Cred.		
	Notice of Hrg N/A		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: LEG
Reviewed on: 2/24/14
Updates:
Recommendation: SUBMITTED
File 6 – Hampton

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 06/30/2011		RICARDO GARCIA , brother and requests appointment as Administrator with bond. Full IAEA – o.k. Decedent died intestate Residence: Fresno Publication: The Business Journal Estimated value of the Estate: Real property \$190,000.00 Less encumbrances -\$185,000.00 Total: - \$5,000.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. Need wavier of bond from all intestate heirs, or bond set at \$10,000.00. 2. Need to know if any of the disclaiming siblings have issue. Note: Pursuant to Intestate Succession the beneficiaries of the decedent's estate would be the parents, Hortencia Miranda and Modesto Blanco. Hortencia Miranda and Modesto Blanco have disclaimed their interest. If a beneficiary disclaims their interest in the estate, the disclaimer acts as if the disclaiming party pre-deceased the decedent. See Probate Code §275 et seq. for disclaimers. Because Hortencia Miranda and Modesto Blanco disclaimed their interest in the estate, all of the siblings of the decedent would then be heirs. Since all of the siblings of the decedent excluding Ricardo Garcia have disclaimed their interest in the decedent's estate the issue of the siblings, if any, that disclaimed would now be intestate heirs pursuant to intestate succession. A Disclaimer when effective is irrevocable pursuant to Probate Code §281. Please see additional page for Status Hearings	
Conf. from 020414				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
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<input checked="" type="checkbox"/>	Aff.Pub.			
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<input type="checkbox"/>	Conf. Screen			
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<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: LV Reviewed on: 01/30/2014 Updates: 02/03/2014 Recommendation: File 7 – Blanco				

Note: If the petition is granted status hearings will be set as follows:

- **Friday, 07/11/2014 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Friday, 04/10/2015 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

Dept. 303, 9:00 a.m. Wednesday, February 26, 2014

DOD: 12/13/13		LINDA ADAMS and DEBRA PREIS, daughters, are petitioners. 40 days since DOD. No other proceedings, Decedent died Intestate. I & A - \$111,500.00 Petitioners request Court determination that decedent's interest in real property, household furniture and furnishings and a 1991 Chevrolet Lumina pass to them in equal shares.	NEEDS/PROBLEMS/COMMENTS: 1. #11 of the petition does not include the decedent's interest in the property listed.
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail W/		
	Aff.Pub.		
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	Pers.Serv.		
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	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 2/24/14
Updates:
Recommendation:
File 9 – Harrington

DOD: 10-7-12	JOAN ST. LOUIS , Spouse, filed Petition for Assumption of Law Practice of David St. Louis on 9-6-13.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 111313, 112013, 010814	Background: Mrs. St. Louis' petition requested:	Continued from 11/13/13, 11/20/13, 1/8/14.
Aff.Sub.Wit.	<ol style="list-style-type: none"> 1) That the Court assume jurisdiction over the law practice of David J. St. Louis and appoint attorney PAUL T. CHAMBERS to represent and assist the Court in assuming jurisdiction; 2) Allow Mr. Chambers to appoint himself as receiver and take possession and control of any and all bank accounts related to Mr. St. Louis' law practice, including the attorney-client trust account which contained \$54,502.09 at 3-31-13; 3) Coordinate with Allison St. Louis, former legal secretary, to determine the clients entitled to funds and the amounts each is owed; 4) Upon determining the recipients and the amounts owed, that Mr. Chambers be allowed to issue checks to the recipients without further court order; 5) Specifically, that Mr. Chambers be allowed, without further Court order, to issue checks from a certain estate account (John K. Shirin Estate) to those recipients entitled thereto; and 6) Upon completion, provided accounting. 	Minute Order 11/20/13: Mr. Cram is appearing via CourtCall. Mr. Roberts informs the Court that the amount in the trust is insufficient to pay the claims. The Court directs Mr. Roberts to contact the State Bar.
Verified		Minute Order 1/8/14: Mr. Roberts and Mr. Cram are appearing by courtcall. Continued to 2/26/14.
Inventory		As of 2/21/14, nothing further has been filed.
PTC		1. Need current status report.
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	<p>Non-Opposition to Petition was filed 9-30-13 by the State Bar of California.</p> <p>A Creditor's Claim and Request for Special Notice was filed 9-30-13 by Attorney J. Patrick Sullivan, who represents Walter Wentz, Creditor.</p> <p>Limited Opposition to Petition was filed 10-9-13 by BIANCA SORIA. Ms. Soria states she was a client of Mr. St. Louis, who was wired \$65,000.00 in connection with a settlement. Ms. Soria requested that as a condition to granting the petition, that the Court direct Mr. Chambers to distribute the funds to her, or to post appropriate bond.</p> <p>At hearing on 10-16-13, the Court granted the petition with additional orders and set this status hearing. <u>See Page 2 for specifics.</u></p> <p>Subsequent to the hearing, both attorneys David Roberts and Donald Cram submitted competing proposed orders.</p> <p>Therefore, the Court will address the competing proposed orders at this status hearing.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	Reviewed by: skc
		Reviewed on: 2-21-14
		Updates:
		Recommendation:
		File 12 – St. Louis

Minute Order 10-16-13: Mr. Cram is appearing via CourtCall on behalf of Bianca Soria. The Court accepts Mr. Roberts representation that Attorney Timothy Magill has been given notice. The Court finds that Patrick James' client has been properly served. The Court will allow the interlination under 9764. The Court grants the petition and waives bond. The Court orders that the \$41,155.89 be paid within 30 days. The Court notes that there are no funds to pay Attorney Chambers and he is acting in pro bono. Matter set for Status Hearing on 11/13/13. If everything is completed by 11/13/13, no appearances will be necessary. Set on 11/13/13 at 9am in Dept 303 for Status Hearing.

Additional hearing dates 3/6/14 at 9am Dept 303 for Status Re Accounting;
Petition is granted; Order to be signed ex parte.

Attorney David A. Roberts submitted a proposed Order that contains orders as follows:

1. Granting the petition that the Court assume jurisdiction over the law practice, including, but not limited to, dispersing [sic] funds held in the attorney-client trust account;
2. Appointing Paul T. Chambers to represent and assist the Court in assuming jurisdiction over the law practice without bond and shall receive no compensation;
3. That Mr. Chambers coordinate with Allison St. Louis to determine the clients entitled to files, documentation, and/or funds and the amounts each is owed;
4. That the amount that Mr. Chambers finds due to Ms. Soria shall be paid within 30 days from the entry of this order without further Court order;
5. That Mr. Chambers be allowed to appoint himself receiver and take possession of the various accounts and have signature power over such accounts, including that certain account fbo John K. Shirin or his heirs;
6. That after determining the recipients of the files, documents, and money, and the amount thereof, that Mr. Chambers is given the authority to disburse such without further Court order;
7. That Mr. Chambers is authorized without further Court order to issue checks from the John K. Shirin account to those recipients entitled thereto;
8. That upon completing the foregoing tasks, Mr. Chambers provide an accounting, upon approval of which he shall be discharged; and
9. That Mr. Chambers inform the Court of any other action taken as the Court's representative;
10. Setting hearing for approval of the final account on 3-6-14.

Attorney Donald H. Cram submitted an Alternate proposed Order that includes, in addition to the above orders, that Mr. Chambers shall disburse no less than \$41,155.89 to Ms. Soria within 30 days without further Court order.